

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

UNITED STATES OF AMERICA )  
 )  
 v. ) Criminal No. 3:22-cr-124  
 )  
 OLABANJI OLADOTUN EGBINOLA )  
 A.K.A. "RACHEL MOORE," )  
 )  
 *Defendant.* )

**STATEMENT OF FACTS**

The United States and the defendant, OLABANJI OLADOTUN EGBINOLA, agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence.

1. The defendant, OLABANJI OLADOTUN EGBINOLA, participated as a conspirator in an online fraud scheme known as a business email compromise ("BEC"). BEC schemes come in a variety of forms, but all involve the perpetrators' use of email and social engineering to impersonate a party to a business transaction for the purpose of convincing a victim to change the bank account for an upcoming payment. BEC conspiracies often target entities such as state and local governments, as well as colleges and universities. The fraudsters will impersonate employees of construction or IT technology companies, which typically have large, ongoing contracts with the intended victims.

2. One common BEC strategy, which was the one used in EGBINOLA's case, starts with the creation of an internet domain name that is deceptively similar to the true domain name of a company. BEC conspirators accomplish this by paying to register the deceptive domain name through the services of an internet domain registrar such as Namecheap or GoDaddy. For a fee these internet domain registrars can also provide email services for email addresses

incorporating the misleading domain name. Employees of the victim entities who receive emails from these accounts are often deceived because these false domain names vary only slightly from the true domain names of companies that are current vendors for the victims. When the impersonation is successful, the perpetrators convince victims to send money to bank accounts that the perpetrators control.

3. Pertinent to the defendant's participation in the conspiracy, Virginia Commonwealth University (VCU), in Richmond, Virginia, had an ongoing construction contract with Kjellstrom + Lee, a construction company headquartered in Richmond, Virginia. VCU and Kjellstrom + Lee are both located in the Eastern District of Virginia. Kjellstrom + Lee Construction company owns and uses the internet domain name [www.kjellstromandlee.com](http://www.kjellstromandlee.com), which it registered in 2008.

4. On or about March 13, 2017, an individual opened an account under the username "bridgetclark" with the internet domain registrar Namecheap. On or about September 26, 2018, a conspirator using the "bridgetclark" Namecheap account registered the internet domain name [www.kjellstromleegroup.com](http://www.kjellstromleegroup.com).

5. Also on September 26, 2018, the defendant, OLABANJI OLADOTUN EGBINOLA, used the email address [accounts@kjellstromleegroup.com](mailto:accounts@kjellstromleegroup.com) and the alias "Rachel Moore" to contact an employee with the procurement department of VCU. The defendant's email stated that the bank account on file for receiving payments was currently being audited and inquired if the next payment could be sent to their foreign bank account. In reality, the defendant was not legitimately an agent of, associated with, or employed by Kjellstrom + Lee Construction company, and moreover Kjellstrom + Lee did not have an employee named "Rachel Moore."

6. Over an approximate two-month period, EGBINOLA used the alias “Rachel Moore” and purported to be an employee of Kjellstrom + Lee during multiple email communications with VCU employees. In his emails to VCU, the defendant used social engineering techniques, including multiple discussions of the amounts and dates of past and future payments, to impersonate an employee of Kjellstrom + Lee.

7. For example, on or about October 4, 2018, the defendant used his “Rachel Moore” persona and the accounts@kjellstromleegroup.com email address to message a VCU employee. In his email, EGBINOLA stated that a previously mentioned audit process for the company’s bank account would last four to six weeks and inquired whether it was possible to “setup the ACH once it is over.” “ACH” stands for the automated clearing house, which is an electronic funds-transfer system that facilitates electronic financial transactions in the United States.

8. On December 10, 2018, EGBINOLA again posed as “Rachel Moore” and sent the following message to a VCU employee:

*“Hope you are good. We signed up for ACH a couple of weeks ago, but a remittance email was not requested. Can you please notify us at remittance@kjellstromleegroup.com when a payment has been made. Can you please also confirm our last payment was on the 1st of November. Thank you.”*

9. During December 2018, a VCU employee, acting in accordance with instructions given by EGBINOLA posing as “Rachel Moore,” updated payment instructions for an upcoming payment to Kjellstrom + Lee. The updated instructions called for the payment to be made via ACH transfer to an account with the Bank of Hope in Los Angeles, California, with an account number ending in 3483 (hereafter “Bank of Hope account 3483”).

10. On December 20, 2018, a payment intended for Kjellstrom + Lee in the amount of \$469,819.44 was transferred via ACH wire from a bank account controlled by Virginia Commonwealth University to Bank of Hope account 3483.

11. Over the next five days, from December 21, 2018, through December 26, 2018, an individual with access to Bank of Hope account 3483 dispersed over \$453,000 of the funds from VCU by conducting at least 45 transactions. These transactions included 39 checks written on the account, 4 wire transfers and at least one cash withdrawal. None of these funds were recovered.

12. The defendant continued his communication attempts with VCU even after the December 18, 2018 wire transfer. On or about February 15, 2019, EGBINOLA accessed the accounts@kjellstromleegroup.com email account and opened an email containing an ACH form that had been provided to him from an email address belonging to a procurement department employee at VCU. On the same day, EGBINOLA completed the form, provided additional updated bank account information, signed it in the name of “Rachel Moore,” and returned it to the VCU email address.

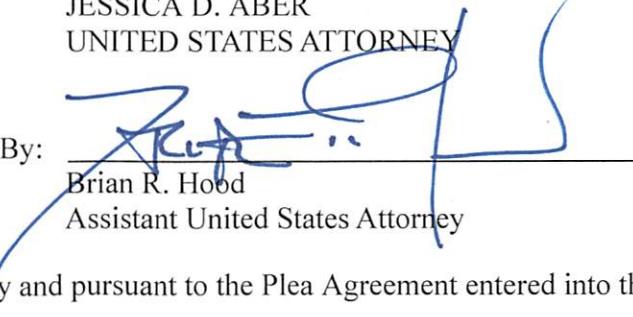
13. The defendant was located in London, England, United Kingdom, when using the “Rachel Moore” alias and accounts@kjellstromleegroup.com email account to communicate with employees of VCU.

14. This Statement of Facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant’s case.

15. The actions of the defendant, as recounted above, were in all respects knowing and voluntary, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

JESSICA D. ABER  
UNITED STATES ATTORNEY

By:   
Brian R. Hood  
Assistant United States Attorney

After consulting with my attorney and pursuant to the Plea Agreement entered into this day with the United States, I, OLABANJI OLADOTUN EGBINOLA, hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

  
OLABANJI OLADOTUN EGBINOLA

I am the attorney for the defendant, OLABANJI OLADOTUN EGBINOLA. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

  
Benjamin A. Beliles, Esquire